

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHRISTOPHER ROY KOCH,

Plaintiff,

v.

XAVIER BLACKBURN, UNITED STATES OF AMERICA, KEVIN KOCUREK, CLAY WEIER, CHAD UHL, JIMMY MILNER, JOHN ANDREWS, ROBERT LEY, CHAD BOWERS, BRAD CLOSSEN, WILLIAM CASTO, AARON HACKLEMAN, RICHARD WATSON, and ST. CLAIR COUNTY SHERIFF'S DEPARTMENT,

Defendants.

Case No. 19-cv-1362-JPG

**JUDGMENT**

This matter having come before the Court, the issues having been heard, and the Court having rendered a decision as to some matters and the parties having stipulated to dismissal of others,

IT IS HEREBY ORDERED AND ADJUDGED that the following claims of plaintiff Christopher Roy Koch are dismissed with prejudice:

- Count 1 against defendants Kocurek, Clossen, Casto, and Hackleman, a claim under 42 U.S.C. § 1983 for unlawful search and seizure on July 18, 2019, in violation of the Fourth Amendment;
- Count 2 against defendant Kocurek, a claim under 42 U.S.C. § 1983 for unlawful arrest on July 18, 2019, in violation of the Fourth Amendment;
- Count 3 against defendant Kocurek, a claim under 42 U.S.C. § 1983 for failure to protect in violation of the Fourth Amendment;
- Count 4 against defendants Blackburn and Kocurek, a claim for malicious prosecution; and
- Count 5 against defendant Kocurek, a claim under 42 U.S.C. § 1983 for unlawful pretrial detention (*Manuel* claim) on July 18, 2019, in violation of the Fourth Amendment.

IT IS FURTHER ORDERED AND ADJUDGED that the following claims of plaintiff Christopher Roy Koch are dismissed without prejudice:

- Count 1 against defendants Blackburn, Weier, Uhl, Milner, Andrews, Ley, and Bowers, a *Bivens* claim for unlawful search and seizure on July 18, 2019, in violation of the Fourth Amendment;
- Count 2 against defendant Blackburn, a *Bivens* claim for unlawful arrest on July 18, 2019, in violation of the Fourth Amendment;
- Count 4 against defendant United States of America under the Federal Tort Claims Act for malicious prosecution;
- Count 5 against defendant Blackburn, a *Bivens* claim for unlawful pretrial detention (*Manuel* claim) on July 18, 2019, in violation of the Fourth Amendment;
- All claims against defendants Richard Watson and St. Clair County Sheriff's Department; and
- All other claims not addressed above that were asserted in an earlier pleading and that were omitted from the Third Amended Complaint.

DATED: August 13, 2024

MONICA A. STUMP, Clerk of Court

s/Tina Gray, Deputy Clerk

Approved: s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**